





MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: The Monroe County Planning Commission

From: Joseph Haberman, AICP, Principal Planner 

Through: Townsley Schwab, Senior Director of Planning & Environmental Resources 

Date: February 16, 2010

Subject: *Request for a Setback Variance for property located on Little Conch Key, aka Walkers Island, mile marker 62, Real Estate Nos. 00099090.000000 & 00099090.000100*

1 The applicant is requesting approval of a variance of 2' from the required 10' side yard setback
2 along the western property line.

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4 The request was submitted in the form of administrative variance application and a public
5 hearing was not initially required. However, during the 30 calendar days of required posting of
6 the application, an adversely affected property owner requested that a public hearing be
7 scheduled on the application.

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9 Agents for the adversely affected property owner, who currently owns the neighboring property
10 to the west, are concerned that the as-built boundary survey of the site provided by the applicant
11 is incorrect in terms of the locations of certain structures and the siting of the mean high water
12 line. The agents submitted their own as-built boundary survey of the site which depicts different
13 boundary determinations. The agents requested that this survey be forwarded to the planning
14 commission for consideration.

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16 The applicant submitted a boundary survey by R.E. Reece, P.A. of the full property, dated
17 February 26, 2009, and a boundary survey by R.E. Reece, P.A. of proposed lot 8, dated
18 September 15, 2009. Mr. Reese is a registered Florida surveyor and mapper, #7665.

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20 The agents for the adversely affected property owner submitted a boundary survey by John Paul
21 Grimes, III, of part of their client's property and part of proposed lot 8, dated January 15, 2007
22 and revised December 9, 2009. Mr. Grimes is a registered Florida surveyor and mapper, #4906.

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24 Both surveys were carried out by professional, registered surveyors. Planning & Environmental
25 Resources Department staff is researching the situation; however has yet to make any
26 determination as to whether or not the applicant's survey is incorrect. Since an applicant's
27 documentation is presumed correct until proven otherwise, this issue is not addressed in the staff
28 report.